UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,162	07/30/2003	Irena Hudis	13768.429	7646

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/630,162	HUDIS ET AL.
	Examiner	Art Unit	
	Jeffrey D. Popham	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 May 2007*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *24-32 and 34* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *24-32 and 34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *20070410*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Remarks

Claims 24-32 and 34 are pending.

Response to Arguments

1.   Applicant's arguments filed 5/11/2007 have been fully considered but they are

not fully persuasive.

The claims do not make clear what, precisely, a "data item" is. This "data item"

could be a program, a file, a byte, a bit, a database, an address range, a table, a

particular instance of an entry in a database, etc. A data item may be any data or set of

data. Splitting a volume into zones could comprise simply specifying that a first address

range is a first zone and the rest of the data on the volume is the other zone. Such

zones are clearly non-overlapping since they each comprise separate areas. Whether

one piece of data in one zone comprises the same bits as a piece of data in the other

zone (e.g. a database field holding the name "John Doe", or a byte set to '01010101') is

insignificant, since the zones are non-overlapping within the context of the

volume/storage. No data item is shared between the zones since the zones comprise

mutually distinct areas of the volume/storage. All that is required is that no singular

instance of data at a particular memory address range is specified as being within

multiple zones. Looking to applicant's specification for guidance, one finds paragraph

22, stating that an item may comprise one or more elements and an element may be

further subdivided into attributes. Paragraph 49 provides an example of what an

element may be. In this example, it could be a type name element, including first name,

last name, and middle name attributes. Also in this example, a possible item is

described as including type name elements as well as other elements. This item could

be an entity such as a single database entry storing data on a particular user, multiple

database entries storing data on a particular family, or an entire database that stores all

such type name elements in correspondence with other elements.

What needs to be clear for zones to be non-overlapping is that each portion of

memory is part of one zone. For explicit teaching of such, new grounds of rejection

have been set forth.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 24, 25, 27-32, and 34 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Barnett (U.S. Patent 6,772,157) in view of DeKoning (U.S. Patent

6,671,776).

Regarding Claim 24,

Barnett discloses in a computer system that includes items stored

in at least one volume, the volume being divided into at least one zone,

each item residing in a zone from among the at least one zone, each zone

having one or more principals with administrative rights, a method of

delegating administrative rights to other principals for first items included

in a main zone included in the at least one zone, comprising:

An act of identifying first items and other items in a main zone

within a volume comprising a plurality of zones (Column 6, lines 13-52);

An act of splitting the main zone into a first zone and a remaining

main zone, the one or more principals retaining administrative rights for

the first zone and the remaining main zone, the first zone including the first

items and the remaining main zone including only the other items from the

main zone not included in the first items (Column 6, lines 13-52); and

An act of specifying that one or more first principals also have

administrative rights to the first items (Column 6, lines 13-52);

But may not explicitly disclose that the zones are non-overlapping.

DeKoning, however, discloses that the zones are non-overlapping;

the first zone and the remaining main zone do not overlap with any of the

plurality of other zones included in the volume, and wherein the splitting is

restricted in such a way as to prevent overlapping between zones and

such that none of the first items and the other items from the main non-

overlapping zone are shared when the main non-overlapping zone is split

(Column 5, lines 18-51; and Column 8, line 54 to Column 9, line 44). It

would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to incorporate the storage partitioning and

management system of DeKoning into the delegated administration

system of Barnett in order to provide high reliability and availability of the

stored data and/or ensure that no domain or sub-domain can access data

of another domain or sub-domain.

Regarding Claim 34,

Claim 34 is a computer program product claim that corresponds to

method claim 24 and is rejected for the same reasons.

Regarding Claim 25,

Barnett as modified by DeKoning discloses the method of claim 24,

in addition, Barnett discloses that specifying the one or more first

principals is performed by the one or more main principals (Column 6,

lines 13-52).

Regarding Claim 27,

Barnett as modified by DeKoning discloses the method of claim 24,

in addition, Barnett discloses the administrative rights being security rights

(Column 6, lines 13-52; and Column 8, lines 8-34).

Regarding Claim 28,

Barnett as modified by DeKoning discloses the method of claim 24,

in addition, Barnett discloses the administrative rights being auditing rights

(Column 6, lines 13-52; and Column 8, lines 8-34).

Regarding Claim 29,

Barnett as modified by DeKoning discloses the method of claim 24,

in addition, Barnett discloses specifying security rules for the first zone

after the act of splitting (Column 6, lines 13-52; and Column 8, lines 8-34);

and DeKoning discloses that the zones are non-overlapping (Column 5,

lines 18-51; and Column 8, line 54 to Column 9, line 44).

Regarding Claim 30,

Barnett as modified by DeKoning discloses the method of claim 24,

in addition, Barnett discloses specifying security rules for the first zone by

defaulting security rules that were from the main zone prior to the act of

splitting (Column 5, line 35 to Column 6, line 65); and DeKoning discloses

that the zones are non-overlapping (Column 5, lines 18-51; and Column 8,

line 54 to Column 9, line 44).

Regarding Claim 31,

Barnett as modified by DeKoning discloses the method of claim 24,

in addition, Barnett discloses recombining the first zone and the remaining

main zone (Column 6, lines 53-65; and Column 12, line 45 to Column 13,

line 8); and DeKoning discloses that the zones are non-overlapping

(Column 5, lines 18-51; and Column 8, line 54 to Column 9, line 44).

Regarding Claim 32,

Barnett as modified by DeKoning discloses the method of claim 24,

in addition, Barnett discloses a subsequent remaining main zone, the

subsequent remaining zone formed from splitting the remaining main

zone, wherein the administrative principals of the subsequent remaining

main zone are the administrative principals in the main zone, comprising

recombining the first zone and the subsequent remaining main zone

(Column 6, lines 53-65; and Column 12, line 45 to Column 13, line 8); and

DeKoning discloses that the zones are non-overlapping (Column 5, lines

18-51; and Column 8, line 54 to Column 9, line 44).

3.   Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barnett

in view of DeKoning, further in view of Anglin (U.S. Patent Application Publication

2004/0199521).

Barnett as modified by DeKoning does not explicitly disclose labeling the

first items with a zone enumeration corresponding to the first zone.

Anglin, however, discloses labeling the first items with a zone enumeration

corresponding to the first zone (Paragraphs 19, 24, and 25). It would have been

obvious to one of ordinary skill in the art at the time of applicant's invention to

incorporate the group management system of Anglin into the delegated

administration system of Barnett as modified by DeKoning in order to explicitly

associate items with their appropriate zone, as well as to associate a zone entry

with all of the items that belong to that zone, thereby increasing ease of viewing,

management, and use of the system.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey D. Popham whose telephone number is (571)-272-7215. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571)272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeffrey D Popham
Examiner
Art Unit 2137

EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER